

NOTICE PUBLICATION/REGULATORY ACTION SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

| | | | |
|---|--------------------------------------|---|--|
| OAL FILE NUMBERS | NOTICE FILE NUMBER Z-2015-1012-01 | REGULATORY ACTION NUMBER 2015-1210-025 | EMERGENCY NUMBER |
| For use by Office of Administrative Law (OAL) only | | | |
| NOTICE | | REGULATIONS | |
| AGENCY WITH RULEMAKING AUTHORITY California Highway Patrol | | | AGENCY FILE NUMBER (if any) CHP-R-15-04 |

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

JAN 25 2016
1:52 PM

2015 DEC 10 P 2:15
OFFICE OF
ADMINISTRATIVE LAW

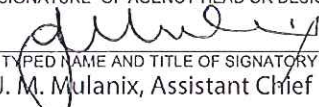
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

| | | | | |
|--|--|--------------------------|--------------------------------------|--------------------------------|
| 1. SUBJECT OF NOTICE | | TITLE(S) | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE |
| 3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | | 4. AGENCY CONTACT PERSON | TELEPHONE NUMBER | FAX NUMBER (Optional) |
| OAL USE ONLY | ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn | | NOTICE REGISTER NUMBER 2015, 43-2 | PUBLICATION DATE 10/23/2015 |

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| | | | |
|---|--|--|---|
| 1a. SUBJECT OF REGULATION(S) Fire Extinguishers | | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) | |
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related) | | | |
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | | ADOPT | |
| | | AMEND | |
| 1162.1 and 1242 | | | |
| TITLE(S) 13 | | REPEAL | |
| 3. TYPE OF FILING | | | |
| <input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only | | | |
| 4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1) | | | |
| 5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) | | | |
| <input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____ | | | |
| 6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY | | | |
| <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____ | | | |
| 7. CONTACT PERSON Kristi McNabb | | TELEPHONE NUMBER (916) 843-3416 | FAX NUMBER (Optional) (916) 322-3154 |
| | | E-MAIL ADDRESS (Optional) kmcnabb@chp.ca.gov | |

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

| | |
|--|-----------------|
| SIGNATURE OF AGENCY HEAD OR DESIGNEE  | DATE 12-8-15 |
| TYPED NAME AND TITLE OF SIGNATORY J. M. Mulanix, Assistant Chief | |

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JAN 25 2016

Office of Administrative Law

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DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

FINAL REGULATION TEXT

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2,
CHAPTER 6 AMEND ARTICLE 3, SECTION 1162.1 AND
CHAPTER 6.5 AMEND ARTICLE 8, SECTION 1242

FIRE EXTINGUISHERS (CHP-R-15-04)

Existing Text:Times New Roman 12 point font.
Additions:Times New Roman 12 point font with single underline.
Deletions:~~Times New Roman 12 point font with strikethrough.~~

TITLE 13, CALIFORNIA CODE OF REGULATIONS DIVISION 2, CHAPTER 6 ARTICLE 3, SECTION 1162.1 IS AMENDED TO READ:

§ 1162.1. Vehicle Safety Equipment.

- (a) Fire Extinguishers.
 - (1) Every three-axle motortruck or combination of vehicles shall be equipped with one fire extinguisher with at least a 4B:C rating, except as provided in (2) ~~or (3)~~.
 - (2) Every motor vehicle shall be equipped with one fire extinguisher rated at least 10B:C if the motor vehicle, or any vehicle in a combination of which it is a part, transports cargo requiring placards (Section 1162). ~~Two fire extinguishers with a combined rating of 10B:C may be used, provided the rating of neither unit is less than 4B:C.~~
 - (3) ~~Every tank vehicle or combination of tank vehicles used to transport flammable or combustible liquids shall be equipped with at least one fire extinguisher having a rating of not less than 20B:C. A fire extinguisher rated 12B:C and in service prior to July 1, 1970, may continue in use if it is in good working order. Fire extinguishers required by this subsection shall be serviced annually in accordance with Title 19, California Code of Regulations Chapter 1, Subchapter 3, commencing with Section 550.~~
 - (43) Each fire extinguisher shall have been rated and labeled by one of the following test labs approved by the State Fire Marshal to test and label portable fire extinguishers for sale in California.
 - (A) Underwriter's Laboratories, Northbrook, Illinois. All sizes and classifications.

- (B) Factory Mutual Research Corporation, Norwood, Massachusetts. Sizes 10B:C, 1A 10B:C, 2A 40B:C, 3A 40B:C, and 4A 80B:C fire extinguishers filled with Halon 1211 or Halon 1301.
- (54) Fire extinguishers using any carbon tetrachloride, chlorobromomethane, or methyl bromide as extinguishing agents shall not be carried for use in or about any vehicle.
- (65) Each fire extinguisher shall be securely mounted to prevent sliding, rolling, or vertical movement relative to the motor vehicle on the motor vehicle or trailer in a conspicuous place or ~~a clearly marked compartment and located so it is readily accessible for use.~~
- (76) Fire extinguishers shall be maintained in efficient operating condition and shall be equipped with means for determining if they are fully charged.
- (b) Emergency Warning Devices.
 - (1) Every vehicle or combination of vehicles transporting Division 1.1, 1.2 or 1.3 explosives shall carry 3 red emergency reflectors.
 - (2) Liquid burning flares, fusees, oil lanterns, or any signal produced by a flame shall not be carried on any vehicle or vehicle combination transporting Division 1.1, 1.2 or 1.3 (explosives) hazardous materials; or any cargo tank vehicle or in any other vehicle operated in combination with a cargo tank vehicle and used for the transportation of Division 2.1 (flammable gas), Class 3 (flammable liquid) or combustible liquid materials whether loaded or empty.

Note: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

TITLE 13, CALIFORNIA CODE OF REGULATIONS
DIVISION 2, CHAPTER 6.5
ARTICLE 8, SECTION 1242 IS AMENDED TO READ:

§1242. Fire Extinguishers.

Every motor vehicle or combination of vehicles (except those otherwise specified below) shall be equipped with one fully charged fire extinguisher having at least a 4B:C rating.

- (a) Approvals. Each fire extinguisher shall have been rated and labeled by one of the following test labs approved by the State Fire Marshal to test and label portable fire extinguishers for sale in California.
 - (1) Underwriter's Laboratories, Northbrook, Illinois. All sizes and classifications.
 - (2) Factory Mutual Research Corporation, Norwood, Massachusetts. Sizes 10B:C, 1A 10B:C, 2A 40B:C, 3A 40B:C, and 4A 80B:C fire extinguishers filled with Halon 1211 or Halon 1301.
- (b) Prohibited Extinguishers. Fire extinguishers using any carbon tetrachloride, chlorobromomethane, or methyl bromide as extinguishing agents shall not be carried for use in or about any vehicle.
- (c) Exceptions. This section shall not apply to vehicles (except school buses, SPABS, youth buses, farm labor vehicles, and GPPVs) operated solely within a 5-mile radius of one or adjoining municipalities, vehicles subject to more restrictive provisions in this

title or other code, or vehicles in any "driveaway-towaway operation" as defined in Section 303 of the Vehicle Code.

- (d) Securement. Each fire extinguisher shall be securely mounted to prevent sliding, rolling, or vertical movement relative to the motor vehicle~~on the motor vehicle or trailer~~ in a conspicuous place or ~~a clearly marked compartment and located so it is~~ readily accessible for use.
- (e) Maintenance. Each fire extinguisher shall be maintained in efficient operating condition and equipped with some means of determining if it is fully charged.
- (f) School Bus Fire Extinguishers. In addition to the other requirements of this section, school buses shall be equipped with one or two extinguishers having an aggregate rating of not less than 8B:C units, provided each extinguisher is rated at not less than 4B:C. A wheelchair school bus shall be equipped with two extinguishers, each one rated at not less than 8B:C; one to be placed in the driver's compartment and the other at the wheelchair loading door or emergency exit.
 - (1) School bus fire extinguishers shall be inspected and serviced only by a person, firm, or organization authorized to do so by the State Fire Marshal.
 - (2) Inspection or servicing shall be done at yearly intervals or at intervals prescribed in regulations adopted by the State Fire Marshal, whichever intervals are shorter.

Note: Authority cited: Sections 31401, 34501, 34501.5, 34501.8 and 34508, Vehicle Code; and Section 39831, Education Code. Reference: Sections 31401, 34501, 34501.5, 34501.8 and 34508, Vehicle Code; and Section 39831, Education Code.

